H. B. No. 65, "An Act creating the Follett Independent School District of Lipscomb county; providing for an election of a board of trustees, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 4:55 o'clock p. m., presented same to the Governor for his approval.

BEDELL, Chairman.

Committee Room, Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled

Bills, to whom was referred H. B. No. 54, "An Act creating an independent school district at Hutto, Williamson county, Texas, and declar-

ing an emergency,"
Have carefully compared same, and find it correctly enrolled, and have this day, at 4:55 o'clock p. m., presented same to the Governor for his approval.

> Committee Room, Austin, Texas, March 12, 1918.

BEDELL, Chairman.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled

Bills, to whom was referred

H. B. No. 9, "An Act to prevent and prohibit in time of war the sale, barter, or exchange of spirituous, vinous, and malt liquors, or medicated bitters capable of producing intoxication, within ten miles of any fort, arsenal, training camp, cantonment, aviation field or school where soldiers, sailors, marines or aviators are being quartered, held, or trained, or quartered, or where ships are being built under contract with the government of the United States in time of war, in any branch of the army or navy of the United States; to prevent and prohibit the transportation of such liquors into such territory; to provide against application for suspended sentence in such cases; to prohibit the issuance of liquor licenses in such territory; authorizing and empowering the Attorney General to enjoin the sale of liquors prohibited by this act, or any conduct in violation of said act, and authorizing the district or county attorney of the county where the violations occur to maintain suit in the name of the State to enjoin and prevent the sale of such liquors or the violations of this act; to provide suitable punishments in such cases, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:21 o'clock a. m., presented same to the Governor for his approval. BEDELL, Chairman.

#### SIXTEENTH DAY.

(Saturday, March 16, 1918.)

The House met at 10 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Laney. Lange. Beard. Lanier. Beasley. Lee. Beason. Lindemann. Bedell. McComb. Bell. Bennette. McCord. McCoy. Bertram. McDowra. Blackburn. Blackmon. McFarland. Bledsoe. McMillin. Bryan. Mathis. Burton of Rusk. Meador. Butler. Mendell. Cadenhead. Metcalfe. Miller of Austin. Carlock. Miller of Dallas. Clark. Cope. Moore. Cox of Bee. Morris. Cox of Ellis. Murphy. Crudgington. Murrell. Davis of Dallas. Neill. Davis of Grimes. Nordhaus. Davis of Harris. O'Banion. O'Brien. Davis of Van Zandt. Parks. De Bogory. Peyton. Denton. Poage. Dodd. Raiden. Dudley. Reeves. Dunnam. Robertson. Fairchild. Roemer. Fly. Rogers. Sackett. Ford. Greenwood. Sallas. Haidusek. Schlosshan. Hardey. Seawright. Harris. Smith of Bastrop. Henderson. Smith of Hopkins. Hill. Smith of Scurry. Holland. Spencer. Holaday. Spradley. Johnson of Blanco. Sneed. Johnson of Ellis. Stewart. Jones. Stephens. Kempen. Swope. Taylor. Laas. Lacey. Templeton.

Thomas.

Lackey.

Thomason Upchurch. of El Paso. Vaughan. Thompson Veatch. of Hunt. White. Thompson Williams of Red River. of Brazoria. Tillotson. Williford. Tilson. Wilson. Tinner. Woods. Traylor. Yantis.

#### Absent.

Bagby. Sentell.
Bass. Sholars.
Brown. Strayhorn.
Burton of Tarrant. Valentine.
Cates. Williams
Pope. of McLennan.
Richards.

#### Absent-Excused.

Baker. Osborne. Bland. Pillow. Canales. Schlesinger. Estes. Terrell. Hudspeth. Thomason King. of Nacogdoches. Lowe. Wahrmund. Monday. Walker.

The Speaker announced a quorum present.

Prayer was then offered by Rev. J. E. Fuller of Lordsburg, N. M.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Osborne, for today, on motion of Mr. De Bogory.

Mr. Thomason of Nacogdoches, indefinitely, and Mr. Schlesinger, for today, on motion of Mr. Meador.

Mr. Beason, for last Monday, Tuesday and Wednesday, and Mr. Bland, for to-day, on motion of Mr. Neill.

Mr. Bass, for today, on motion of Mr. White.

Mr. Wahrmund, for today, and Mr. Lowe, indefinitely, on motion of Mr. Nordhaus.

Mr. Monday, for today, on motion of Mr. Murphy.

Mr. Terrell, for yesterday and today, on motion of Mr. Cadenhead.

Mr. Canales, until next Wednesday, on motion of Mr. Rogers.

Mr. Hudspeth, for today, on motion of Mr. Templeton.

Mr. Estes, for today, on motion of Mr.

Mr. Walker was excused indefinitely, on motion of Mr. Carlock, on account of sickness.

#### MOTION TO PRINT BILL.

Mr. Yantis moved that House bill No. 71 be printed, and the motion was lost. Mr. Fairchild moved that House bill No. 102 be printed in the Journal and not in bill form, and the motion was lost.

#### BILLS ORDERED NOT PRINTED.

Mr. Miller of Dallas moved that Senate bill No. 27 be not printed.

Mr. Fairchild moved to table the motion and the motion to table was lost. The motion to not print prevailed.

On motion of Mr. Carlock, it was ordered that Senate bill No. 28 be not printed.

On motion of Mr. Butler, it was ordered that Senate bill No. 72 be not printed.

On motion of Mr. O'Brien, it was ordered that Senate bill No. 10 be not printed.

#### MOTIONS TO NOT PRINT BILLS.

Mr. Greenwood moved that House bill No. 145 be not printed and the motion was lost.

Mr. Jones moved that House bill No. 130 be not printed and the motion was lost.

#### RELATING TO KANSAS CITY, MEX-ICO & ORIENT RAILWAY.

Mr. Dudley offered the following resolution:

H. C. R. No. 8, Relating to the Kansas City, Mexico & Orient Railway.

Whereas, The Kansas City, Mexico & Orient Railway, several years ago, contracted with the citizenship of the counties lying and being between San Angelo and Del Rio, Texas, to build a line of railway from San Angelo to Del Rio, thereby connecting up the Mexican National Railroad into the Republic of Mexico; and

Whereas, Said line has been graded from San Angelo, Texas, to eight miles below Sonora in Sutton county, Texas, being a distance of eighty miles; and

Whereas, It has graded another from Del Rio for twenty-five or thirty miles, leaving a gap of something like fifty miles, and fifty miles of grade to be built; and

Whereas, The President of the United States, by proclamation, has taken over all the railroad lines in the United States, including the Kansas City, Mexico & Orien; and

Whereas, Said trunk line is necessary at this time while war is in progress between the government of the United States and the imperial government of Germany; and

Whereas, The continuation of said line would be the means of transporting, cheaply, an immense amount of beef, cattle, sheep, goats, hogs and farm products raised in the Republic of Mexico, into and through the United States, and would greatly cheapen food products and increase the production to armies in the field; and

Whereas, This is certainly, at this time, a war measure that would add greatly to increase the quantity of our food supplies; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Texas delegation in Congress be requested, including the United States Senators from Texas, to present this matter at once to the Director General of Railroads, the Hon. Wm. G. McAdoo, to the end that the said Director General be requested to proceed at once to have said line constructed, and that a copy of this resolution be transmitted by the Secretary of the Senate and the Chief Clerk of the House, to each member of the Texas delegation, the House of Representatives at Washington and the two United States Senators, and also a copy be sent by the aforesaid mentioned officers to the President of the United States and the Director General of Railroads, the Hon. Wm. G. McAdoo, and the Secretary of Agriculture, the Hon. David F. Houston, and the Food Commissioner, the Hon. Herbert Hoover, and it is so ordered.

The resolution was read second time and was adopted.

REPORT OF CONFERENCE COM-MITTEE ON HOUSE BILL NO. 8.

Mr. Bledsoe called up from the Speaker's table for consideration at this time the report of the conference committee on House bill No. 8.

The Speaker laid the report before the House and it was read as follows:

Committee Room, Austin, Texas, March 15, 1918.

Hon. E. A. Decherd, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: Your Free Conference Committee, to whom was referred House bill No. 8, to adjust the difference between the House and Senate as to this bill, have performed the duty assigned, and beg leave to report as follows:

Senate amendment No. 1, reading as follows: "Any liquor or drinks containing as much as one-half of one per cent alcohol and is manufactured or sold for beverage purposes shall be held to be intoxicating liquor within the terms and meaning of this act." The Senate recedes from its action in adopting the amendment.

Senate amendment No. 2, as follows: "Section 10a. Any firm or corporation found guilty of violating any of the provisions of this act shall be liable unto the State of Texas for a penalty in a sum of not less than \$1000 nor more than \$5000, which penalties may be recovered in a civil action brought in the name of the State of Texas in any county of the State where the offense, in whole or in part, may have been committed and may be brought by the Attorney General of Texas or by the county or district attorney of the county in which the offense, in whole or in part, may have been committed; and each day that such company, firm or corporation may do or cause to be done any act or acts in violation hereof, shall constitute a separate offense, and the State of Texas shall proceed to collect said penalties as in other civil action against companies, firms or corporations." Said action on the part of the Senate in adopting the amendment is receded from by the Senate.

Amendment No. 3 by the Senate, which adds a new section numbered Section 6a, prohibiting the soliciting or taking orders for intoxicating liquors to be sold, bartered, transported, or to advertse for sale any intoxicating liquors is adopted by your Free Conference Committee.

Senate amendments 4, 6, 5, 9, 10, 11, 7 and 8, all merely corrective amendments, have been adopted by your committee.

Senate amendment No. 14, prohibiting the issuance or renewal of licenses purporting to authorize the sale of intoxicating liquors, except as provided for by the act, and revoking all out-

standing licenses when this act becomes effective is adopted by the committee.

Your Free Conference Committee has corrected the caption of the bill, and as corrected substituted for Senate amendment No. 13.

Respectfully submitted,
WESTBROOK,
LATTIMORE,
SMITH,
SUITER,
On the part of the Senate.
THOMASON of El Paso,
BRYAN,
BLEDSOE,
VEATCH,
SPENCER,
On the part of the House.

On motion of Mr. Bledsoe, the report was adopted.

# RELATING TO INVESTIGATING WOMAN'S CONFEDER-ATE HOME.

Mr. Denton offered the following resolution:

Whereas, In the first sessions of the committee appointed to investigate the Woman's Confederate Home, the testimony of witnesses and other incidents connected therewith revealed the need of additional powers by the committee in order that the evidence may be developed impartially and expeditiously; therefore be it

Resolved. That the said committee be and it is hereby empowered to appoint two attorneys who shall conduct the investigation in accordance with the rules governing court trials, one to represent the committee and one to represent the board of managers, these attorneys to serve without pay; and be it further

Resolved, That the names of all witnesses shall be made a part of the record, and that the sessions of the committee shall be held and conducted publicly. Also that an experienced and competent court reporter be employed by the committee.

Signed-Denton, Mathis, Crudgington.

The resolution was read second time. On motion of Mr. Mendell, further consideration of the resolution was postponed indefinitely.

#### BILL RECOMMITTED.

On motion of Mr. Carlock, Senate bill No. 58 was recommitted to the Committee on State Affairs. SENATE BILL NO. 28 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading:

S. B. No. 28, A bill to be entitled "An Act creating a court to be styled the Commission of Appeals of the State of Texas, to consist of six persons, learned in the law, to be appointed by the Governor by and with the advice of the Senate, which shall sit in two sections, known as Section A and Section B, each section consisting of three members, and who shall hold their office for two years and receive for their services a salary of \$5000 per annum, and declaring an emergency."

The bill was read second time. Mr. Carlock offered the following (committee) amendments to the bill:

(1)

Amend Section 8 of Senate bill No. 28 by substituting the following in lieu thereof:

"Section 8. The opinion of said Commission of Appeals in cases referred to it by the Supreme Court, when adopted by said court, shall be published as the opinion thereof, as in other cases, unless otherwise directed by the Supreme Court."

(2)

Amend Section 15 of Senate bill No. 28 by substituting in lieu thereof the following:

"Section 15. The Commission of Appeals created hereby shall begin their service on the first Monday in October, 1918, and shall continue in existence until the last Saturday in June, 1920, unless the cause docket of the Supreme Court shall have been disposed of prior to the last named date, in which event the said Commission of Appeals shall automatically go out of existence."

(3)

Amend Section 1 of Senate bill No. 28 by adding at the end of said Section 1 the following:

"The concurrence of two of the judges of any section shall be necessary to the decision of any question or matter referred to them."

(4)

Amend Section 10 of Senate bill No. 28 by substituting in lieu thereof the following:

"Section 10. Said Commission of Ap-

peals shall hold its sessions in Austin, Texas, at the same time and place as the Supreme Court, but the said Commission of Appeals shall continue their work during the vacation of the Supreme Court in mid-summer, subject, however, to the right of said judges of the Commission of Appeals to take a vacation, not to exceed eight weeks, during said period. They shall appoint as many stenographers, not exceeding four, as said Commission may find necessary, and such stenographers shall perform the duties required of them by said Commission of Appeals, and each of whom shall receive an annual salary not to exceed \$1500 dollars. The salaries of said stenographers shall be paid in monthly installments, on warrants approved by the Chief Justice of the Supreme Court. The Clerk of the Supreme Court shall perform the duties of clerk of said Commission of Appeals, and no extra fees shall be allowed the Clerk of the Supreme Court, or his deputy, for services rendered said Commission save and except an additional compensation of \$1500 per annum for such services, in addition to the compensation now allowed him by law, to be paid out of the fees of his office."

The (committee) amendments were adopted.

(Mr. Spencer in the chair.)

Mr. Thompson of Hunt offered the fol-

lowing amendment to the bill: Amend Senate bill No. 28, Section 10, by striking out all of said section

referring to extra pay of clerk.

Mr. McCoy moved the previous question on the amendment and passage of the bill to a third reading, and the main question was ordered.

Question first recurring on the amendment, it was lost.

Senate bill No. 28 was then passed to third reading.

#### SENATE BILL NO. 28 ON THIRD READING.

Mr. Carlock moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that Senate bill No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas-100.

Bedell. Atlee. Bell. Beard. Beasley. Bennette. Beason. Bertram.

Moore. Blackburn. Blackmon. Morris. Murphy. Bledsoe. Murrell. Brown. Neill. Bryan. Burton of Rusk. Nordhaus. O'Banion. Butler. O'Brien. Carlock. Parks. Cope. Cox of Bee. Peyton. Poage. Cox of Ellis. Reeves. Crudgington. Davis of Grimes. Robertson. Roemer. Davis of Van Zandt. Rogers. De Bogory. Sackett. Sallas. Dodd. Dudley Schlosshan. Seawright. Fairchild. Fly. Sholars. Smith of Bastrop. Ford. Smith of Hopkins. Greenwood. Smith of Scurry. Haidusek. Harris. Spencer. Spradley. Henderson. Sneed. Hill. Stewart. Holland. Stephens. Holaday. Johnson of Blanco. Swope. Johnson of Ellis. Taylor. Templeton. Jones. Kempen. Thomas. Thomason Laas. Lacey. of El Paso. Thompson Lackey. of Hunt. Laney. Thompson Lange. of Red River. Lanier. Tillotson. Lindemann. Tilson. McComb. Vaughan. McCord. McCoy. Veatch. McMillin. White. Williams Mathis. Meador. of Brazoria. Williford. Mendell. Metcalfe. Wilson. Miller of Austin. Woods. Miller of Dallas. Yantis.

#### Nays-8.

McFarland. Davis of Dallas. Davis of Harris. Raiden. Tinner. Lee. McDowra. Traylor.

#### Absent.

Bagby. Pope. Richards. Bass. Burton of Tarrant. Sentell. Strayhorn. Cadenhead. Upchurch. Cates. Valentine. Clark. Denton. Williams of McLennan. Dunnam. Hardey.

#### Absent-Excused.

Baker. Osborne.
Bland. Pillow.
Canales. Schlesinger.
Esteş. Terrell.
Hudspeth. Thomason
King. of Nacogdoches.

Lowe. Wahrmund. Walker.

The Speaker then laid Senate bill No. 28 before the House, on its third reading and final passage.

The bill was read third time and was passed.

Mr. Carlock moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 56, A bill to be entitled "An Act to establish and create a Criminal District Court for Bowie county, etc., and declaring an emergency."

H. B. No. 79. A bill to be entitled "An Act creating and incorporating the Close Independent School District in Garza county, etc., and declaring an

emergency."

S. B. No. 61, A bill to be entitled "An Act authorizing the Board of Nurse Examiners for the State of Texas to employ not less than three lecturers from among the registered nurses of the State to visit the different high schools, colleges and universities of the State, those supported by public as well as private funds, to arouse a greater interest among young women in the profession of nursing, with the view of securing volunteers for this work, authorizing said board to fix the salary and compensation of said lecturers and term of their service, and providing for the payment of their compensation and expense from fees accumulated and now in the possession of or under the control of said board; and declaring an emergency.

The Senate has adopted free conference committee report on H. B. No. 8.

The Senate has adopted S. C. R. No. 9, relating to Kansas City, Mexico & Orient Railway.

Respectfully,
J. B. BENNETT,
Assistant Secretary of the Senate.

#### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 26.

Mr. Yantis called up from the Speaker's table for consideration at this time the report of the Free Conference Committee on House bill No. 26.

The Speaker laid the report before the House and it was read as follows:

Committee Room, Austin, Texas, March 16, 1918.

Hon. E. A. Decherd, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: Your Free Conference Committee, appointed to adjust the differences between the House and Senate on House bill No. 26, known as the Yantis bill, beg leave to report that the conferees have adjusted the differences, and beg to report sas follows:

All the Senate amendments, which were merely corrected, have been concurred in by the House and adopted by

the Committee.

Second. Section 9a has been corrected to read as follows:

"This act shall be cumulative of all laws now in force in the State upon this subject and of all acts of the Fourth Called Session of the Thirty-fifth Legislature, prohibiting and regulating the sale of intoxicating liquors, and it is expressly provided that no law now in force in this State prohibiting and regulating the sale of intoxicatin liquors of any act of the Fourth Called Session of the Thirty-fifth Legislature, prohibiting and regulating the sale of intoxicating liquors, is hereby repealed, but all such laws and acts shall remain in full force and effect."

Respectfully submitted,

LATTIMORE,

COLLINS,

FLOYD,

DEAN,

On the part of the Senate.

YANTIS,

MURRELL,

COPE,

McCORD,

On the part of the House.

Mr. Yantis moved to adopt the report.

The Clerk was directed to call the roll and the report was adopted by the following vote:

Yeas-101.

Atlee. Beard. Beasley. Beason. Bedell. Bell.

Miller of Dallas. Bennette. Bertram. Moore. Morris. Blackburn. Murphy. Bledsoe. Bryan. Murrell. Burton of Rusk. Neill. Nordhaus. Butler. Cadenhead. O'Banion. O'Brien. Carlock. Clark. Parks. Peyton. Cope. Cox of Bee. Poage. Crudgington. Raiden. Davis of Dallas. Reeves. Davis of Grimes. Robertson. Davis of Harris. Rogers. Sackett. Davis of Van Zandt. Sallas. De Bogory. Schlosshan. Denton. Seawright. Smith of Bastrop. Dodd. Dudley. Smith of Hopkins. Dunnam. Smith of Scurry. Fairchild. Spencer. Fly. Spradley. Ford. Sneed. Haidusek. Stewart. Harris. Stephens. Henderson. Swope. Holaday. Taylor. Johnson of Ellis. Templeton. Jones. Thomas. King. Thomason Laas. of El Paso. Thompson Lacey. Lackey. of Hunt. Laney. Thompson Lange. of Red River. Lanier. Tillotson. Tilson. Lee. Lindemann. Tinner. McComb. Traylor. McCord. Upchurch. McCoy. Vaughan. McDowra. Veatch. McFarland. White. McMillin. Williams of Brazoria. Mathis. Meador. Williford. Mendell. Wilson. Metcalfe. Woods. Miller of Austin. Yantis.

#### Present-Not Voting.

Cox of Ellis.

Hill.

Greenwood.

Absent.

Mr. Speaker. Holland. Johnson of Blanco. Bagby. Bass. Kempen. Blackmon. Pope. Brown. Richards. Burton of Tarrant. Roemer. Cates. Sentell. Hardey. Sholars.

Strayhorn. Terrell. Valentine.

Williams of McLennan.

Absent-Excused.

Baker. Osborne. Bland. Pillow. Schlesinger. Canales. Thomason Estes. Hudspeth. of Nacogdoches.

Wahrmund. Lowe. Monday. Walker.

Mr. Johnson of Ellis moved to reconsider the vote by which the report was adopted and to table the motion to reconsider.

The motion to table prevailed. (Speaker in the chair.)

HOUSE BILL NO. 74 ON ENGROSS-MENT

The Speaker laid before the House, as postponed business on its passage to

engrossment,

H. B. No. 74, A bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of 1911 of this State as amended by the Act of the Regular Session of the Thirty-third Legislature, approved March 28, 1917, defining the appellate jurisdiction of the Supreme Court, repealing all laws and parts of laws in conflict therewith, stating the time when the same shall go into effect, and declaring an emergency,"

The bill having been read second time

on yesterday.

Mr. Miller of Dallas raised a point of order on further consideration of the bill by the House on the ground that the House has defeated a bill containing the same substance.

The Speaker declined to rule on the point of order and stated that he would submit the matter to the House for its decision.

Question-Shall the point of order be sustained?

The Clerk was directed to call the roll and the House overruled the point of order by the following vote:

#### Yeas-38.

Davis Atlee. Beason. of Van Zandt. Dunnam. Bell. Ford. Bennette. Burton of Rusk. Haidusek. Henderson. Cope. Cox of Ellis. Hill. Davis of Dallas. Laney. Davis of Grimes. Lee.

Mathis. Templeton. Thomason Mendell. Miller of Dallas. of El Paso. Morris. Thompson Nordhaus. of Hunt. Parks. Thompson Poage .. of Red River. Tinner. Reeves. Robertson. Traylor. Sallas. Upchurch. Seawright. Vaughan. Spradley. Yantis.

#### Nays-64.

Beard. McDowra. McFarland. Beasley. Bedell. McMillin. Bertram. Meador. Blackburn. Metcalfe. Blackmon. Murphy. Neill. Bryan. Butler. O'Banion. Peyton. Cadenhead. Carlock. Raiden. Cox of Bee. Roemer. Crudgington. Rogers. Sackett. Davis of Harris. Denton. Schlosshan. Dodd. Smith of Bastrop. Smith of Hopkins. Dudley. Fairchild. Smith of Scurry. Greenwood. Sneed. Stephens. Hardey. Harris. Stewart. Holland. Swope. Taylor. Holaday. Johnson of Ellis. Thomas. Kempen. Tillotson. Laas. Tilson. Veatch. Lacey. Lackey. White. Williams Lange. of Brazoria. Lanier. Williford. Lindemann. McComb. Wilson. Woods. McCord. McCoy.

Present-Not Voting.

De Bogory.

O'Brien.

#### Absent.

Murrell. Bagby. Pope. Bass. Richards. Bledsoe. Sentell. Brown. Burton of Tarrant. Sholars. Spencer. Cates. Clark. Strayhorn. Terrell. Fly. Johnson of Blanco. Valentine. Jones. Williams Miller of Austin. of McLennan. Moore.

Absent—Excused.

Baker. Osborne.
Bland. Pillow.
Canales. Schlesinger.
Estes. Thomason
Hudspeth. of Nacogdoches.
King. Wahrmund.
Lowe. Walker.

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed to inform the House that the Senate has adopted Free Conference Committee report on House bill No. 26 by vote of 19 yeas and 2 nays.

Respectfully, RALPH SOAPE, Secretary of the Senate.

#### RECESS.

On motion of Mr. Miller of Dallas, the House at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### MESSAGE FROM THE SENATE.

Senate Chamber, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 118, A bill to be entitled "An Act creating the Mauriceville Independent School District in Orange county, Texas, etc."

S. B. No. 44, A bill to be entitled "An Act to amend Section 4, Chapter 8, General Laws of the First Called Session of the Thirty-fifth Legislature of the State of Texas, entitled 'An Act to create a State Council of Defense, defining its powers and duties, making an appropriation to carry on the work of said Council of Defense, and declaring an emergency," so as to provide that no member of the Council shall ever be paid any salary or per diem for his services, except the secretary and as sistant secretary, who may be members

of 'the Council, and declaring an emergency."

S. B. No. 43, A bill to be entitled "An Act to make appropriation for the maintenance of the State Council of Defense and the payment of the secretary thereof and his assistants, traveling expenses and other necessary expenses to be incurred by the State Council of Defense, including clerk hire, and declaring an emergency."

S. B. No. 46, A bill to be entitled "An Act to provide for the creation of corporations to prevent the pollution of streams and to that end empowering such corporations to gather, impound, and store water containing salt or other substances produced in the drilling or operation of oil wells or other wells; and authorizing such corporations to charge reasonable rates for service; and prohibiting discrimination between patrons; and conferring upon such cor-porations the power of condemnation of necessary land and rights; authorizing corporations interested in the proper disposition of such waters to subscribe for, own and vote stock in corporations created hereunder, and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act providing for additional compensation for district attorneys and county attorneys performing the duties of district attorneys in counties containing cities of 35,000 inhabitants and over, and where army posts are now located, according to the last Federal census in prosecutions of violations of what is known as the "Ten Mile Zone Law," and in investigations before grand juries, and declaring an emergency."

H. B. No. 28, A bill to be entitled "An Act to make effective the provi-

"An Act to make effective the provisions of Section 59 of Article 16 of the Constitution, providing for the creation of conservation and reclamation districts, and providing that any water improvement district, drainage district or levee improvement district organized or to be organized as defined districts under the provisions of any law of this State, and Section 52 of Article 3 of the Constitution may avail itself of the benefits of Section 59 of Article 16 of the Constitution, and providing that any such district may incur indebtedness and levy taxes necessary to carry out the purpose of its organization, removing restrictions and limitations of indebtedness to be incurred by any such district; providing for the management and control of such district, and declaring an emergency."

S. B. No. 95, A bill to be entitled "An Act declaring that casualty insurance companies incorporated under Chapter 117, General Laws, passed by the Regular Session of the Thirty-second Legislature shall hereafter have authority to write marine insurance, in which may be included the hazards and perils incident to war, and declaring an emergency."

Respectfully, J. B. BENNETT,
Assistant Secretary of the Senate.

### SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time and referred to the appropriate committees as follows:

- S. B. No. 92, to the Judiciary Committee.
- S. B. No. 95, to the Committee on Insurance.
- S. B. No. 44, to the Committee on State Affairs.
- S. B. No. 43, to the Committee on Appropriations.
- S. B. No. 46, to the Committee on Irrigation.
- S. B. No. 61, to the Committee on Public Health.

#### LEAVES OF ABSENCE GRANTED.

On motion of Mr. Parks, Mr. Butler, Mr. Thomas, Mr. Miller of Austin, Mr. Schlosshan and Mr. Peyton were excused for this evening on account of important committee work.

#### HOUSE BILL NO. 74 ON ENGROSS-MENT.

The House resumed consideration of pending business, same being House bill No. 74, defining the appellate jurisdiction of the Supreme Court on its passage to engrossment.

(Mr. Moore in the chair.)

Mr. Sallas moved the previous question on engrossment of the bill and the motion was not seconded.

Mr. McDowra offered the following amendment to the bill:

Amend H. B. No. 74 by striking out all of subdivisions 4, 5 and 6 of Article 1521.

Question—Shall the amendment be adopted?

(Speaker in the chair.)

SENATE BILL NO. 22 ON SECOND READING.

The Speaker laid before the House as a special order for this hour, on its second reading and passage to a third read-

S. B. No. 22, A bill to be entitled "An Act to provide for the creation of conservation and reclamation districts within this State under and by virtue of the provisions of Section 59 of Article 15 of the State Constitution, to be known as Levee Improvement Districts, and declaring an emergency."

The bill was read second time.

Mr. Laney offered the following amendments to the bill:

Amend S. B. No. 22 by adding a new section thereto which shall read as fol-

"Nothing contained in this act shall be construed to repeal any law, upon this subject, passed at the Fourth (4th) Called Session of the Thirty-fifth (35th) Legislature but any such law shall be deemed cumulative."

Amend the caption of S. B. No. 22 by inserting before the phrase "and declaring an emergency" the following:

"Making all laws upon this subject passed at the Fourth (4th) Called Session of the Thirty-fifth (35th) Legislature of Texas cumulative."

The amendments were adopted.

Mr. McCoy moved the previous question on the passage of the bill to a third reading and the motion was not seconded.

Mr. Laney offered the following (committee) amendments to the bill:

Amend the bill by adding at the end of Section 53 the following:

"Provided that the provisions of this section shall not apply to dams, canals or other improvements made or to be made by irrigation, water improvements or irrigation companies made by individuals or corporations."

Amend by striking out Section 13. The (committee) amendments were adopted.

Senate bill No. 22 was passed to a third reading.

SENATE BILL NO. 22 ON THIRD READING.

Mr. Miller of Dallas moved to suspend the constitutional rule requiring bills to be read on three several days in each | Bass.

house and that Senate bill No. 22 be placed on its third reading and final passage.

The motion prevailed by the follow-

ing vote:

Yeas-91.

Mathis. Mr. Speaker. Meador. Atlee. Mendell. Beasley. Metcalfe. Beason. Miller of Dallas. Bell. Moore. Bertram. Blackburn. Morris. Murphy. Blackmon. Burton of Rusk. Murrell. Cadenhead. Neill. Nordhaus. Carlock. O'Banion. Clark. O'Brien. Cope. Cox of Bee. Parks. Cox of Ellis. Poage. Raiden. Crudgington. Davis of Dallas. Davis of Grimes. Reeves. Robertson. Roemer. Davis of Harris. Rogers. Davis of Van Zandt. Sallas. Sentell. De Bogory. Seawright. Denton. Smith of Hopkins. Dodd. Smith of Scurry. Dudley. . Sneed. Dunnam. Stephens. Fairchild. Stewart. Fly. Taylor. Ford. Templeton. Haidusek. Thomason Harris. of El Paso. Henderson. Thompson Hill. of Hunt. Holland. Johnson of Blanco. Thompson of Red River. Johnson of Ellis. Tilson. Jones. Tinner. Lacey. Upchurch. Laney. Vaughan. Lange. Veatch. Lanier. White. Lee. McComb. Williams of Brazoria. McCord. McCoy. Williford. Wilson. McDowra. McFarland. Woods.

Nays--3.

Hardey. Laas.

McMillin.

Traylor.

Yantis.

Present-Not Voting.

Bryan.

Absent.

Bagby.

Beard. Bedell. Bennette. Sackett. Bledsoe. Sholars. Brown. Smith of Bastrop. Burton of Tarrant. Spencer. Spradley. Cates. Strayhorn. Greenwood. Holaday. Swope. Kempen. Terrell. Lackey. Tillotson. Lindemann. Valentine. Williams Pope. Richards. of McLennan.

#### Absent—Excused.

Baker. Osborne. Bland. Peyton. Pillow. Butler. Canales. Schlesinger. Estes. Schlosshan. Hudspeth. Thomas. Thomason King. Lowe. of Nacogdoches. Miller of Austin. Wahrmund. Monday. Walker.

The Speaker then laid Senate bill No. 22 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

#### Yeas-99.

Harris. Atlee. Beasley. Henderson. Beason. Hill. Holland. Bedell. Bell. Holaday. Johnson of Blanco. Bertram. Johnson of Ellis. Blackburn. Blackmon. Jones. Bledsoe. Lacey. Burton of Rusk. Laney. Butler. Lange. Cadenhead. Lanier. Carlock. Lee. McComb. Clark. McCord. Cope. Cox of Bee. McCoy. Cox of Ellis. McDowra. McFarland. Crudgington. Davis of Dallas. McMillin. Davis of Grimes. Mathis. Davis of Harris. Meador. Davis Mendell. of Van Zandt. Metcalfe. De Bogory. Miller of Austin. Miller of Dallas. Denton. Dodd. Moore. Dudley. Morris. Dunnam. Murphy. Murrell. Fairchild. Fly. Neill. Ford. Nordhaus. Haidusek. O'Banion.

O'Brien. Templeton. Parks. Thomas. Peyton. Thomason Poage. of El Paso. Raiden. Thompson Reeves. of Hunt. Thompson Robertson. Roemer. of Red River. Tilson. Rogers. Tinner. Sackett. Sallas. Upchurch. Sentell. Vaughan. Schlosshan. Veatch. Seawright. White. Smith of Hopkins. Williams Smith of Scurry. of Brazoria. Williford, Spradley. Sneed. Wilson. Stephens. Woods. Stewart. Yantis. Taylor.

Nays-2.

Laas.

Traylor.

Present-Not Voting.

Bryan.

Hardey.

#### Absent.

Bagby. Richards. Bass. Sholars. Beard. Smith of Bastrop. . Bennette. Spencer. Brown. Strayhorn. Burton of Tarrant. Swope. Greenwood. Terrell. Kempen. Tillotson. Lackey. Valentine. Lindemann. Williams Pope. of McLennan.

#### Absent—Excused.

Baker. Monday. Bland. Osborne. Canales. Pillow. Cates. Schlesinger. Estes. Thomason Hudspeth. of Nacogdoches. King. Wahrmund. Walker. Lowe.

Mr. Laney moved to reconsider the vote by which Senate bill No. 22 was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 155 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 155, A bill to be entitled "An Act to amend Section 2 of House

bill No. 525, enacted by the Thirty-fifth Legislature of the Regular Session, creating the Nixon Independent School District and as amended by Section 1, House bill No. 89, Thirty-fifth Legislature, First Called Session, revising metes and bounds of said district, and declaring an emergency."

The bill was read second time and

was passed to engrossment.

#### HOUSE BILL NO. 148 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to en-

H. B. No. 148, A bill to be entitled "An Act creating a more efficient road system for Chambers county, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### SENATE BILL NO. 10 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third

S. B. No. 10, A bill to be entitled "An Act authorizing the creation and establishment of water-control and preservation districts for the control and preservation of the purity of the waters of rivers, creeks, bayous, lakes, canals, streams or other waters, for irrigation or in aid thereof, by the prevention of the inflow of salt water or other deleterious substances; the changing of said waters from salt to fresh water and the impounding of fresh water; empowering such districts to erect, construct, maintain, repair and reconstruct dams, bulkheads, jetties, locks, gates or any other character of improvements necessary to the accomplishment of said purposes, or any of them; creating boards of water control and preservation where the lands embraced in such districts lie in two or more counties, or parts of counties, and defining the powers of such boards of water control and preservation; providing for the method of establishment of such districts; authorizing the ordering and holding of elections for the purpose of voting on the establishment of such districts, and the issuance of bonds and levy of tax in payment for such improvements and the levying and collecting of taxes for payment of such bonds, and interest thereon; authorizing the appointment of

preservation districts, and defining their duties and powers; granting the right of eminent domain to such water control and preservation districts, authorizing the directors of such districts to acquire by purchase, gift or grant, for such district, title to any right of way and other property necessary for the purposes of such districts; granting a right of way over all public lands in the State necessary to effectuate the purposes of such districts; authorizing the conveyance of any property acquired to the United States for certain purposes; authorizing the directors to employ an engineer, manager and other employes, to employ counsel, to enter into contract for such improvements; to agree or co-operate with the government of the United States, the proper department or officer thereof, for the carrying out of such improvements of the supervision of same, and for all things necessary for the maintenance of such districts according to the provisions of this act; providing for entering upon lands for surveys and for all purposesof this act, and providing for penalties for preventing or prohibiting such entry upon lands; providing for the selection of depositories; authorize the directors to issue bonds in amount sufficient to cover the cost of the proposed improvements, the expenses incident thereto and expenses necessarily curred in connection with the creation and establishment of such districts, the amount of said bonds not to exceed the amount authorized by the election; requiring the directors to levy a tax upon: all taxable property within the district to pay the interest on such bonds, together with an additional amount to beplaced in a sinking fund sufficient to pay the bonds at maturity; to levy and cause to be assessed taxes sufficient in amount to pay for the expense of assessing and collecting such taxes, for the expenses incident to the maintenance of the district and for the maintenance,. operation and repair of such improvements; requiring the commissioners court of the county or counties within which the district is situated to order the county tax assessor to assess all property within such district, lying within the county, and list the same for taxation; providing the method of assessment and a penalty for the failure of any tax assessor to comply with the order of the commissioners court directors of such water control and to so assess; providing the remedy by

mandamus in the event any commissioners court should fail or refuse to order the county tax assessor to assess said property; requiring the tax collector of the county in which such district is situated to collect the taxes for said district within his county; providing for the commissioners court to require an additional bond or security from such tax collectors; providing for the method of collecting the taxes, the bringing of suits for collection of delinquent taxes and the enforcement of tax liens created by this act; providing penalties for failure or refusal of tax collectors to give additional bond or security or to collect the taxes; providing when taxes shall mature and be paid and penalties for failure to pay same within the required time; providing for reports by district depositories and by board of directors; providing for the filing of suits to establish the validity of such districts and of the bonds; fixing the venue and procedure in such actions and the effect of such judgments; providing for the registration of the bonds of such districts by the Comptroller of the State; providing for the sale of such bonds; prohibiting suit brought in any court of the State contesting or enjoining the validity of the formation of any district or the bonds except in the name of the State of Texas by the Attorney General upon his own motion or upon the motion of any party affected thereby; providing the method of paying out funds of said district; providing for two or more districts undertaking joint projects; providing generally a complete system for the establishment of such districts and the government of same; authorizing the directors to invest the sinking fund, and declaring such districts defined districts within the meaning of the Constitution, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to a third reading.

Mr. O'Brien moved to reconsider the vote by which Senate bill No. 10 was passed to a third reading.

The motion to reconsider prevailed. Mr. O'Brien offered the following (committee) amendments to the bill:

(1)

ate bill No. 10, Section 11, page 10, 1, by striking out after the word "clerks" line 28, by striking out after the word the words "or clerks."

"district" the words "to be hereafter appointed."

. (2)

Amend committee substitute for Senate bill No. 10, Section 12, page 11, line 11, by striking out the word "five" and inserting in lieu thereof the word "three."

(3)

Amend committee substitute for Senate bill No. 10, Section 12, page 11, line 21, by striking out after the word "court" the words "for malfeasance or nonfeasance in office."

(4)

Amend committee substitute for Senate bill No. 10, Section 13, page 12, line 7, by striking out the word "noties" and

in lieu thereof the word inserting "notice."

Amend committee substitute for Senate bill No. 10, Section 13, page 12, line 9, by adding after the word "district" the following: "but stating that same is part of such entire district."

Amend committee substitute for Senate bill No. 10, Section 15, page 13, line 8, by inserting after the word "instead" the following: "of consisting of three members shall consist of five, and instead."

Amend committee substitute for Senate bill No. 10, page 15, by striking out all of Section 18 after the word "Sec-retary" in line 11 and inserting in lieu thereof the following: "when the board of directors consists of three members, any two of said directors shall constitute a quorum, when the board of directors consists of five members any three of said directors shall constitute a quorum."

(8)

Amend committee substitute for Senate bill No. 10, Section 27, page 20, line 19, by striking out after the word "any" the word "three" and inserting in lieu thereof the word "two."

(9)

Amend committee substitute for Sen-Amend committee substitute for Sen- ate bill No. 10, Section 33, page 24, line

#### (10)

Amend committee substitute for Senate bill No. 10, page 28, Section 39, by striking out in line 18 after the word "directors" the words "and who shall receive such compensation as may be determined by said directors."

#### (11)

Amend committee substitute for Senate bill No. 10, Section 47, page 33, line 10, after the word "them" by inserting the following: "provided, that where the district lies wholly within one county the directors shall not, after the completion of the improvements, employ any attorneys as legal advisers of the district or an engineer as engineer of such district, or any other employe, except with the concurrence and consent of the commissioners court of such county, and the compensation to be paid such attorney, engineer or employe, so employed after the completion of the improvements, shall be fixed by the directors, subject to the approval of said commissioners court."

#### (12)

Amend committee substitute for Senate bill No. 10, Section 47, page 33, line 15, by striking out after the word "other" the word "four,"

Amend committee substitute for Senate bill No. 10, Section 54, page 35, line 26, by striking out the word "three" and insert in lieu thereof the word "two."

#### (14)

Amend committee substitute for Senate bill No. 10, page 31, Section 43, line 21, by inserting after the word "price" the following words: "and not less than fifty (50) per cent thereof."

#### (15)

Amend committee substitute for Senate bill No. 10, page 24, Section 35, line 17, by striking out all of said section down to and including the word "or" in line 25, and further amend said Section by inserting a capital "I" in the word "in" in line 25.

#### (16)

Amend committee substitute for Senate bill No. 10, page 36, Section 57, line 8, by inserting the following: "provided, however, the provisions of this act shall not repeal or affect any of the provisions of the law contained in Chapter 87, Acts of the Thirty-fifth Legislature, at | on its third reading and final passage,

its Regular Session, 1917, or any amendments thereto, but are independent thereof."

#### (17)

Amend committee substitute for Senate bill No. 10, Section 38, page 28, by striking out all of said section after the word "fund" in line 13.

The (committee) amendments were

adopted.

Senate bill No. 10 was passed to a third reading.

#### HOUSE BILL NO. 132 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to

engrossment,

H. B. No. 132, A bill to be entitled "An Act to make additional appropriations for the support and maintenance of the State Orphan Home for the remainder of the fiscal year ending August 31, 1918, and for the fiscal year ending August 31, 1919, and declaring an emergency."

The bill was read second time and

was passed to engrossment.

#### HOUSE BILL NO. 141 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 141, A bill to be entitled "An Act to further regulate the conducting of fish hatcheries and the propagation of fish in this State by amending Article 4000 of the Revised Civil Statutes of this State, 1911, as amended by Chapter 146 of the Acts of the Thirtythird Legislature, providing for the distribution by the State fish hatcheries of fish to private persons, providing that the Game, Fish and Oyster Commissioner of the State of Texas, as well as the United States Commissions of Fisheries, or their duly authorized agents, may take or catch brood fish from the public fresh waters of this State for the purpose of propagation, etc.; providing a penalty for violation of this statute, and declaring an emergency.'

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 108 ON THIRD READING.

The Speaker laid before the House,

H. B. No. 108, A bill to be entitled "An Act to amend Section 9 of Chapter 17, Special Laws, passed at the First Called Session of the Thirty-third Legislature, entitled 'San Patricio County Road System—Creating,' authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from the date of issuance, with such options of redemption as may be fixed by the commissioners court, or to issue such bonds to mature serially in approximately equal proportions every year for not exceeding forty years, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

#### Yeas-95.

Lanier. Mr. Speaker. Atlee. Lee. McComb. Beasley. Beason. McCord. McCoy. Bedell. Bell. McDowra. McFarland. Bertram. McMillin. Blackburn. Blackmon. Mathis. Bryan. Meador. Burton of Rusk. Mendell. Metcalfe. Butler. Cadenhead. Miller of Austin. Miller of Dallas. Carlock. Cope. Moore. Cox of Bee. Morris. Cox of Ellis. Murphy. Murrell. Crudgington. Davis of Dallas. Davis of Grimes. Neill. Nordhaus. Davis of Harris. O'Brien. Davis Parks. of Van Zandt. Peyton. De Bogory. Raiden. Denton. Reeves. Dodd. Robertson. Dudley. Roemer. Dunnam. Rogers. Fairchild. Sackett. Sallas. Fly. Ford. Sentell. Haidusek. Seawright. Smith of Hopkins. Smith of Scurry. Hardey. Harris. Henderson. Sneed. Hill. Stewart. Holland. Stephens. Johnson of Blanco. Swope. Jones. Taylor. Laas. Templeton. Lacey. Thomas. Thomason Laney. Lange. of El Paso.

24-H

Thompson of Hunt. Williams
Tillotson. of Brazoria.
Tinner. Williford. Wilson.
Upchurch. Woods.
Vaughan. Yantis.

Nays-2.

O'Banion.

Thompson of Red River.

#### Present-Not Voting.

Tilson.

#### Absent.

Bagby. Lindemann.
Bass. Poage.
Beard. Pope.
Bennette. Richards.
Bland. Schlosshan.
Bledsoe. Sholars.
Brown. Smith of Bastrop.
Burton of Tarrant. Spencer.

Burton of Tarrant. Spencer.
Cates. Spradley.
Clark. Strayhorn.
Greenwood. Terrell.
Holaday. Valentine.
Johnson of Ellis. White.
Kempen. Williams
Lackey. of McLennan.

#### Absent-Excused.

Baker. Osborne.
Canales. Pillow.
Estes. Schlesinger.
Hudspeth. Thomason
King. of Nacogdoches.
Lowe. Wahrmund.
Monday. Walker.

## HOUSE BILL NO. 151 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 151, A bill to be entitled "An Act to amend Section 1, Chapter 61, of the Acts passed by the Thirty-third Legislature at its Regular Session, approved March 31, 1913, fixing the time for holding court in the Twenty-seventh Judicial District of Texas; providing when this act shall take effect, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

### HOUSE BILL NO. 120 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to engrossment,

H. B. No. 120, A bill to be entitled "An Act granting the State Superintendent of Public Instruction authority to extend teachers' certificates, naming the conditions under which they may be extended, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 119 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to

engrossment,

H. B. No. 119, A bill to be entitled "An Act to validate the sale of certain public domain made by the State on February 21, 1907, and declaring an emergency."

The bill was read second time and

was passed to engrossment.

Mr. Sallas moved that the House adjourn until 10 o'clock a. m. next Monday, and the motion was lost.

### HOUSE BILL NO. 97 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 97, A bill to be entitled "An Act to amend Section 5, Chapter 78, pages 147-148 and 149, passed at the Regular Session of the Thirty-fifth Legislature, known as the interchangeable jury law, so as to hereafter read as follows."

The bill was read third time and passed.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Miller of Dallas, it was ordered that Senate bill No. 95 be not printed.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House today, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 14, "An Act to prohibit making an appointment for, or soliciting any person in the service of the United States military or naval forces, to meet or come in contact with any immoral woman, for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any person engaged in the service

of the United States military or naval ferces to any place for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any woman for the purpose of meeting anyone engaged in the service of the United States military or naval forces for the purpose of unlawful sexual intercourse: prohibiting any person operating a vehicle for hire from transporting any woman accom-panied by any person engaged in the military or naval forces of the United States to any place for the purpose of unlawful sexual intercourse; providing a penalty for the violation of this act, and declaring an emergency."

H. B. No. 8, "An Act prohibiting the manufacture, sale, barter or exchange of spirituous, vinous, or malt liquor, or liquors of any character or capable of producing intoxication within this State on and after the taking effect of this act, except for medicinal, mechanical, scientific or sacramental purposes; prohibiting the use of premises, devices, and aids in the manufacture, sale, barter or exchange of such liquors; providing certain civil remedies for the enforcement of the terms of this act, the same being cumulative of all other remedies relevant thereunto; prescribing the terms upon which liquors may be manufactured, sold, bartered or exchanged for medicinal, mechanical, scientific or sacramental purposes; providing procedure for the procuring of evidence for the enforcement of the terms of this act and providing procedure for the prevention of violations of the terms of this act; repealing certain laws in conflict herewith; making the terms of this act cumulative of all other laws upon the subject not in conflict herewith; extending to the entire State the provisions of certain statutes heretofore applicable to local option territory; making it a felony punishable by confinement in the penitentiary to keep a cold storage or place for the keeping for others of such liquors, and punishing corporations by fines, penalties and forfeiture of charters for the violation of this act; providing penalties and remedies against officers charged with any duty in connection with the enforcement of this act for failure to perform such duties; prescribing venue, and declaring an emergency."

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read

severally first time and referred to the appropriate committees, as follows:

By Mr. Clark:

H. B. No. 159, A bill to be entitled "An Act pertaining to elections and regulating the publication of certain matters pertaining to candidates during campaigns at primary, special and general elections so as to secure equal treatment of the candidacies of all candidates by newspapers, periodicals, etc., declaring such newspapers, periodicals, etc., to be subject to the public use; providing penalties for violations of this act, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Fly:

H. B. No. 160, A bill to be entitled "An Act to provide a permanent record of all marriages and divorces in the State of Texas; to prescribe a fee to be paid upon the issuance of the marriage licenses for the maintenance of the Bureau of Vital Statistics; to prescribe the duties of the county clerk, district clerk, and the State Registrar of Vital Statistics within the State with reference to such records and the manner of handling such fees; and prescribing a fee for the county clerk and the district clerk for the forwarding of such records, and declaring an emergency."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Holland:

H. B. No. 161, A bill to be entitled "An Act to amend Chapter 32, Article 6196 of the General Laws, passed at the First Called Session of the Thirty-fifth Legislature, 1917, page 49, regulating the management and control of the penitentiary system and regulating the fixing of salaries of penitentiary guards, and declaring an emergency."

Referred to Committee on Penitentiaries.

#### ADJOURNMENT.

Mr. Holland moved that the House adjourn until 9 o'clock a. m. tomorrow, and the motion was lost.

On motion of Mr. O'Banion, the House, at 3:30 o'clock p. m., adjourned until 9:30 o'clock a. m. next Monday.

#### APPENDIX.

REPORTS OF COMMITTEE ON STATE AFFAIRS.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 152, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Tinner has been appointed to make a full report thereon.

ATLEE, Chairman.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 50, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments. Mr. Tillotson has been appointed to make a full report thereon.

ATLEE, Chairman.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred Senate bill No. 58, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

ATLEE, Chairman.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 153, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

ATLEE, Chairman.

REPORT OF COMMITTEE ON JUDI-CIAL DISTRICTS.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Judicial Districts, to whom was referred Senate bill No. 72, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

TEMPLETON, Chairman.

REPORTS OF JUDICIARY COM-MITTEE.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Judiciary Committee, to whom was referred House bill No. 131, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Woods has been appointed to make a full report thereon. WILLIAMS of Brazoria, Chairman.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Judiciary Committee, to whom was referred House bill No. 122, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. O'Brien has been appointed to make a full report thereon. WILLIAMS of Brazoria, Chairman.

Committee Room, Austin, Texas, March 11, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Judiciary Committee, to whom was referred House bill No. 89, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Bryan has been appointed to make a full report thereon. OSBORNE, Acting Chairman.

Committee Room, Austin, Texas, March 12, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to

whom was referred House bill No. 68, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass. Mr. Bryan, Mr. De Bogory, Mr. Henderson and Mr. Metcalfe gave notice of minority report.

OSBORNE, Acting Chairman.

Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Judiciary Committee, to whom was referred House bill No. 145,. have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Robertson has been appointed to make a full report thereon.

WILLIAMS of Brazoria, Chairman.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Judiciary Committee, to whom was referred Senate bill No. 28. have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments.

WILLIAMS of Brazoria, Chairman.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Judiciary Committee, to whom was referred House bill No. 150, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

WILLIAMS of Brazoria, Chairman.

REPORTS OF COMMITTEE ON LIQUOR TRAFFIC.

Committee Room, Austin, Texas, March 16, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Liquor Traffic, to whom was referred House bill No. 71, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

McMILLIN, Chairman.

Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Liquor Traffic, to whom was referred House bill No. 44, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

McMILLIN, Chairman.

REPORT OF COMMITTEE ON COM-MON CARRIERS.

Committee Room, Austin, Texas, March 15, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Common Carriers, to whom was referred Senate bill No. 27, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

WILLIAMS of Brazoria, Chairman.

REPORTS OF COMMITTEE ON RE-FORMS IN CIVIL PROCEDURE.

Committee Room, Austin, Texas, March 15, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Civil Procedure, to whom was referred House bill No. 154, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Nordhaus has been appointed to make a full report thereon.

CARLOCK, Chairman.

Committee Room. Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Civil Procedure, to whom was referred House bill No. 76, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

CARLOCK, Chairman.

Committee Room, Austin, Texas, March 15, 1918. Hon. F. O. Fuller, Speaker of the House | Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in

House bill No. 130, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Williford has been appointed to make a full report thereon.

CARLOCK, Chairman.

REPORT OF COMMITTEE ON FED-ERAL RELATIONS.

> Committee Room, Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Federal Relations, to whom was referred Senate bill No. 55, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Thomas has been appointed to make a full report thereon.

DUDLEY, Vice-Chairman.

REPORTS OF COMMITTEE ON BANKS AND BANKING.

Committee Room, Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Banks and Banking, to whom was referred House bill No. 158, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Miller of Dallas has been appointed to make a full report thereon.

FAIRCHILD, Chairman.

Committee Room, 'Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Banks and Banking, to whom was referred Senate bill No. 95, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass and be not printed.

FAIRCHILD, Chairman.

REPORT OF COMMITTEE ON PUB-LIC BUILDINGS AND GROUNDS.

> Committee Room, Austin, Texas, March 15, 1918.

of Representatives.

Sir: Your Committee on Public Civil Procedure, to whom was referred | Buildings and Grounds, to whom was

referred House bill No. 140, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. McDowra has been appointed to make a full report thereon.

METCALFE, Chairman.

REPORTS OF COMMITTEE ON PRIV-ILEGES, SUFFRAGE AND ELEC-TIONS.

> Committee Room, Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 143, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

CLARK, Chairman.

Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 136, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass. Mr. Cadenhead gave notice of minority report.

CLARK, Chairman.

REPORT ON COMMITTEE ON APPRO-PRIATIONS.

> Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Appropriations, to whom was referred Senate bill No. 43, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

MENDELL, Vice Chairman.

REPORT OF COMMITTEE ON IRRI-GATION.

> Committee Room, Austin, Texas, March 15, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Irrigation, to whom was referred Senate bill No.

ation and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments. Mr. O'Brien has been appointed to make a full report thereon. HARDEY, Chairman.

REPORTS OF COMMITTEE ON EN-GROSSED BILLS.

> Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and com-

pared

H. B. No. 94, A bill to be entitled "An Act for the protection of the health, safety and comfort of the employes in factories, mills, work shops, mercantile establishments, laundries or other establishments where women are employed, providing for proper temperature and ventilation for the protection of the health of the employes, requiring the removal of gas, affluvia or odors from places where employes are required to work and means to allay dust injurious to the health of persons employed, prohibiting decomposed or putrescent matter or refuse of any kind to be allowed to remain in of around such place of employment, providing for cleaning, sweeping and dusting outside of working hours, requiring doors used by employes as entrances or exite to open outward. prescribing the number of water closets. earth closets or privies to be supplied and requiring separate closets for males and females, requiring such closets to be kept clean and effectively disinfected and ventilated, authorizing the Commissioner of Labor Statistics or any of his deputies or inspectors to enter any factory, mill, workshop, mercantile establishment, laundry or other establishment for making inspection and enforcing the provisions of the act, authorizing the said Commissioner, his deputies or inspectors to issue an order for the correction of unsanitary or immoral conditions or neglect to remove fumes and gases injurious to employes where females are employed; in case of failure or refusal on the part of owner, superintendent, manager or other person in control or management of such establishment, giving the Commissioner of Labor Statistics, his deputies or inspectors power to close such establishment or any part of it until such time as said orders are complied with, providing how such powers may be exercised, and pro-10, have had the same under consider- viding a method for testing the validity,

etc., of such orders, fixing penalties for violation of provisions of the act, and

declaring an emergency.'

H. B. No. 147, A bill to be entitled "An Act creating and establishing the Winnie Independent School District in the counties of Chambers and Jefferson, State of Texas, etc., and declaring an emergency,"

And find the same correctly engrossed. DENTON, Chairman.

Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and com-

pared

H. B. No. 98, A bill to be entitled "An Act to amend Article 1197. Title 17 of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls, fixing penalties, and de-claring an emergency,"

And find the same correctly engrossed. DENTON, Chairman.

Committee Room, Austin, Texas, March 15, 1918. Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Engrossed Bills have carefully examined and com-

pared

H. B. No. 133, A bill to be entitled "An Act to authorize the commissioners court of Bell county to fund an issue of road warrants with an issue of road improvement bonds and thereby relieve the road and bridge fund of the warrant debt, and declaring an emergency,

H. B. No. 70, A bill to be entitled "An Act to amend Chapter 88, Acts of the Regular Session of the Thirty-fifth Legislature, providing a more adequate system of laws relating to irrigation and by adding thereto, after Section 61, Section 61a, and by adding thereto after Section 64, Sections 64a and 64b, providing for the entry of decisions, orders and fixing of rates by the board for furnishing water and permitting persons, firms, and corporations interested therein to file proceedings in the District Court of Travis county, Texas, for a review and revision of rates, fixing the burden of proof in such proceedings, and declaring an emergency,

H. B. No. 82, A bill to be entitled "An Act to amend Article 5376, Revised

Civil Statutes of 1911, and to repeal Article 5379 of the same statute relating to the delivery of patents, and de-

claring an emergency,"

H. B. No. 97, A bill to be entitled "An Act to amend Section 5, Chapter 78, pages 147, 148 and 149, passed at the Regular Session of the Thirty-fifth Legislature, known as the interchangeable jury law, so as to hereafter read as follows,"

And find the same correctly engrossed. DENTON, Chairman.

REPORTS OF COMMITTEE ON EN-ROLLED BILLS.

> Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Your Committee on Enrolled

Bills, to whom was referred H. B. No. 8, "An Act prohibiting the manufacture and sale, barter or exchange of intoxicating liquors or medicated bitters capable of producing intoxication within this State, except for medicinal, scientific, mechanical or sacramental purposes; providing the methods whereby such liquors may be purchased or manufactured for medicinal, scientific, mechanical or sacramental purposes; pro-hibiting the keeping or storage of such liquors within this State; making it un-lawful for any officer or court of this State to issue or renew any license purporting to authorize the sale of such liquors within this State, and revoking all licenses heretofore issued which may be outstanding when this act becomes effective; prohibiting the transportation within, importation into, this State, or the receipt before or after transportation of any such liquors; prohibiting the soliciting or taking of orders for any such liquors, whether such orders are to be shipped into this State or between points in this State; and prohibiting the advertising for sale any such intoxicating liquors; providing penalties for violations of the provisions of this act; providing remedies for the enforcement of this act; providing that each section and provision of this act shall be separable; providing that this act shall be cumulative of all other laws now in force and of all acts of the present Called Session of the Thirty-fifth Legislature regulating and prohibiting the sale of such liquors; and extending to the entire State certain provisions of the local option laws, and declaring an emergency,

Have carefully compared same, and

find it correctly enrolled, and have this day, at 2:16 o'clock p. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room, Austin, Texas, March 16, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 14, "An Act to prohibit making an appointment for, or soliciting any person in the service of the United States miliary or naval forces, or any of the military or naval forces of the Allies of the United States in the present war with Germany, to meet or come in contact with any immoral woman, for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any person engaged in the service of the United States military or naval forces, or any of the military or naval forces of the Allies of the United States in the present war with Germany, to any place for the purpose of unlawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any woman for purpose of meeting anyone engaged in the service of the United States military or naval forces, or any of the military or naval forces of the Allies of the United States in the present war with Germany, for the purpose of un-lawful sexual intercourse; prohibiting any person operating a vehicle for hire from transporting any woman accompanied by any person engaged in the military or naval forces of the United States or any of the military or naval forces of the Allies of the United States in the present war with Germany, to any place for the purpose of unlawful sexual intercourse; prohibiting the owner or keeper of a house from knowingly permitting any person in the service of the military or naval forces of the United States, or any of the military or naval forces of the Allies of the United States in the present war with Germany, from meeting or being with any woman for unlawful intercourse in such house; prohibiting any person operating any vehicle for hire or accommodation to knowingly transport any person engaged in the service of the military or naval forces of the United States or any of the military or naval forces of the Allies of the United States in the present war with Germany to any Fly.

place where lewd women live, reside or assemble for the purpose of carrying on their avocation; prohibiting any woman knowing herselef to be afflicted with a communicable venereal disease from having unlawful sexual intercourse with any person engaged in the service of the military or naval forces of the United States, and also to extend all the provisions of this act to the protection of the military or naval forces of any of the Allies of the United States in the present war with Germany; providing a penalty for the violation of this act, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 2:16 o'clock p. m., presented same to the Governor for his approval.

McCOY, Chairman.

#### SEVENTEENTH DAY.

(Monday, March 18, 1918)

The House met at 9:30 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Ford. Atlee. Bass. Greenwood. Haidusek. Beard. Hardey. Beasley. Beason. Harris. Henderson. Bedell. Hill. Bell. Bennette. Holaday. Holland. Bertram. Blackburn. Johnson of Ellis. Jones. Blackmon. Bledsoe. Laas. Brown. Lacey. Bryan. Lanev. Burton of Rusk. Lange. Butler. Lanier. Carlock. Lee. Cope. McComb. Cox of Bee. McCord. Cox of Ellis. McCoy. McDowra. Crudgington. Davis of Dallas. Davis of Grimes. McMillin. Mathis. Davis of Harris. Meador. Davis Mendell. Metcalfe. of Van Zandt. Miller of Austin. De Bogory. Dodd. Miller of Dallas. Dudley. Monday. Moore. Dunnam. Morris. Estes. Fairchild. Murphy.

Murrell.